



121103

15992 U.S. PTO

**UTILITY PATENT APPLICATION TRANSMITTAL**  
 (only for continuation and divisional  
 applications under 37 CFR 1.53(b))

Client-Matter No.:  
 66872-038  
**Prior Application Info:**  
 Examiner: S. Sharareh  
 Group/Art Unit: 1617  
 Confirmation No.: 9861

031088 U.S. PTO  
 10/735506



121103

Address to: Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-  
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 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
 ADDRESSED TO: MAIL STOP PATENT APPLICATION, COMMISSIONER  
 FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450

Rebecca Clifford  
 (TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Rebecca Clifford  
 (SIGNATURE OF PERSON MAILING PAPER OR FEE)

This is a request for filing a      continuation   X    
 divisional application under 37 CFR 1.53(b), of pending prior  
 application serial no. 10/153,154, filed May 21, 2002 (list only  
 immediate prior application).

Title: NOVEL METHODS AND COMPOSITIONS FOR ALLEVIATING PAIN

Inventor(s) (full name of each inventor): Daniel W. Gil and John  
 E. Donello

No abandonment of, or termination of proceedings, has occurred  
 in the above-identified prior application.

1.   X   An application based on the prior application as filed  
 and containing no new matter is enclosed, consisting of:  
  1   page application cover sheet  
120 pages of specification (includes claims and  
 abstract)  
15 sheets of drawing(s).
2.   X     3   pages of a copy of the oath or declaration as  
 originally filed on August 20, 2002, in prior  
 application (37 CFR 1.63(d)), U.S. serial no.  
10/153,154, filed May 21, 2002, is enclosed.
3.      A signed statement DELETING inventor(s) named in the  
 prior application (37 CFR 1.63(d)(2) and 1.33(b)) is  
 attached.
4.      Nucleotide and/or Amino Acid Sequence Submission is  
 enclosed:  
     computer readable copy of sequence listing  
     paper copy of sequence listing, pages      through  
      
     Statement Under                       
     Request to Use Computer Readable Form of Sequence  
 Listing From Another Application

\_\_\_\_ Other:

5. ☒ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
6. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior application.
7. ☒ A preliminary amendment is enclosed.
8. Small Entity Status:
  - a ☐ A small entity statement is enclosed.
  - b ☐ A small entity statement was filed in prior application serial no. \_\_\_\_\_, and such status is still proper and desired.
  - c ☐ is no longer claimed.
9. The prior application is assigned of record to Allergan, Inc.
10. The power of attorney is assigned of record to Cathryn Campbell.
11. ☐ A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.
12. ☒ A return receipt postcard is enclosed.
13. ☐ A Patent Application Bibliographic Data Sheet is enclosed.
14. ☐ Request for Nonpublication and Certification is enclosed.
15. ☒ A copy of the Petition for Extension of Time filed on December 11, 2003 in prior application serial number 10/153,154, is enclosed.
16. ☐ Also enclosed:

The filing fee is calculated below:

	NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	41-20	=	21	x	\$9 \$18	378
INDEPENDENT CLAIMS	2-3	=	0	x	\$43 \$86	
MULTIPLE DEPENDENT CLAIMS <u>  X  </u> YES <u>      </u> NO					\$145 \$290	290
BASIC FEE					\$385 \$770	770
TOTAL FEE					\$1,438.00	

17.   X   Please charge my Deposit Account No. 502624 in the amount of \$1,438.00. A duplicate copy of this sheet is enclosed.
18.        The filing fee is not enclosed. Do not charge our deposit account.
19.   X   The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Address all future communications to:

Cathryn Campbell  
McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive, 7th Floor  
San Diego, California 92122  
telephone: (858) 535-9001  
facsimile: (858) 535-8949

Respectfully submitted,

Date: December 11, 2003

Andrea L. Gashler

Andrea L. Gashler  
Registration No. 41,029  
Attorney for Applicant  
McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive  
Suite 700  
San Diego, California 92122

       inventor(s)

  X   attorney or agent of record

       assignee of complete  
interest

       filed under Sec. 1.34(a)

# COPY

PATENT

Client-Matter No.:  
66872-019 (P-AR 4931)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Confirmation No:
	)	9861
Gil and Donello	)	
	)	Group Art Unit: 1617
Serial No.: 10/153,154	)	
	)	Examiner:
	)	S. Sharareh
Filed: May 21, 2002	)	
	)	
For: NOVEL METHODS AND,	)	
COMPOSITIONS FOR	)	
ALLEVIATING PAIN	)	
	)	

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Rebecca Clifford  
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Rebecca Clifford  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

PETITION FOR AN EXTENSION OF TIME

Applicants hereby petition for a two-month extension  
of time to respond to the Office Action mailed on  
September 22, 2003.

Please charge my Deposit Account No. 502624 the amount  
of \$420.00 which covers the fee for a two-month extension of  
time. A duplicate copy of this sheet is enclosed.

Inventor: Gil and Donello  
Serial No. 10/153,154  
Filed: May 21, 2002  
Page 2

The Commissioner is hereby authorized to charge payment of any additional fees associated with the filing submitted herewith or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: December 11, 2003

Andrea L. Gashler

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Rebecca Clifford  
Printed Name of Person Mailing Paper or Fee

Rebecca Clifford  
Signature of Person Mailing Paper or Fee